

01263.001605

PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor Application of:

JASON PETER ANDREW

CHARLESWORTH ET AL.

Application No.: 09/863,424

Filed: May 24, 2001

For: INDEXING METHOD AND
APPARATUS

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Examiner: U.T. Le
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Art Unit: 2171
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April 6, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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APR 12 2004

Technology Center 2100

REQUEST FOR WITHDRAWAL OF
ERRONEOUSLY ISSUED NOTICE OF ABANDONMENT

Sir:

A Notice of Abandonment issued on March 24, 2004 in the above-identified application, stating that Applicants' failed to confirm the status of the application.

Applicants' representative in fact left a message in the Examiner's voice mail stating that an Amendment And Petition For Extension Of Time was timely filed on January 2, 2003. Accordingly, Applicants' undersigned attorney respectfully submits that the Notice of Abandonment was issued in error, because Applicants filed an Amendment And Petition For Extension Of Time, which was received by the U.S. Patent and Trademark Office on January 2, 2004, as evidenced by the attached copy of the return

receipt postcard. For the Office's convenience, a copy of the Amendment, a copy of the transmittal document accompanying the Amendment, and a Supplemental Information Disclosure Statement filed with the Amendment are also enclosed.

Applicants respectfully request the Commissioner to withdraw the holding of abandonment and restore the above-identified application to pending status.

The Commissioner is hereby authorized to charge Deposit Account No. 06-1205 for any fee that may be due in connection with the present Request. However, because the holding of abandonment is believed to be the result of circumstances not attributable to any fault of Applicants or Applicants' attorneys, Applicants submit that no fee is due.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,


Attorney for Applicants

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